

# NEW HAMPSHIRE MOTOR VEHICLE INDUSTRY BOARD

*Minutes of Board Meeting - November 29, 2007*

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## ATTENDANCE:

Mr. Archie Burnett, II  
Mr. Lloyd Freese  
Mr. William Fenollosa  
Mr. Walter McCarthy  
Mr. Curtis Duclos

## EXCUSED:

Mr. Robert Copeland

## GUESTS:

Marta Modigliani, Legal Counsel, Office of the Commissioner

Provisional Chair Mr. Duclos declared the meeting open with a quorum of Board members present.

## NEW BUSINESS:

### Review of Correspondence regarding docketed cases:

AMD Subaru, Inc. d/b/a AMD Subaru	Docket No. 07-01
Next-Step Motors, Inc. d/b/a Miller Nissan	Docket No. 04-01
Seacoast Imported Auto, Inc. d/b/a Nissan of Stratham	Docket No. 06-04

### Review of Communication(s):

KIA Motors America, Inc. Re: Notice of Establishment Bournival, Inc. d/b/a Bournival Kia.  
Bournival, Inc. d/b/a Bournival Kia Re: Additional KIA Dealership.  
Office of Legislative Services Re: Conditional Approval of Final Proposal 2007-143

## OTHER BUSINESS:

The Chair recognized Attorney Marta Modigliani. She reminded the Board that at the last meeting, the Board voted to approve the final proposal of the administrative rules as written. The Joint Legislative Committee on Administrative Rules ("JLCAR") voted to conditionally approve,

conditioning the decision upon changing "may" to "shall" within Mvi 206.02(d). Counsel explained the alternatives requiring a vote. Mr. Freese **MOVED** to amend the language to conform with JLCAR review. Mr. Burnett **SECONDED**. Vote was **UNANIMOUS**. Upon completion of the vote Attorney Modigliani offered to bring the Board's decision to JLCAR and that a response may be available within a brief timeframe. The Chair recessed pending recall.

Board was re-convened after approximately one hour by the Chair.

*Review of Communication:*

Office of Legislative Services Re: Conditional Approval Confirmation of Final Proposal 2007-143.

Mr. Freese **MOVED** to accept the language approving confirmation by JLCAR of the word "shall" replacing the word "may" within Mvi 206.02(d). Mr. Burnett **SECONDED**. Vote was **UNANIMOUS**.

The Chair asked if there was anyone who wished to speak on topics to come before the board; seeing none, closed the PUBLIC MEETING.

**ADJOURNMENT:**

Mr. Freese **MOVED** to adjourn. Mr. Fenellosa **SECONDED**. Vote was **UNANIMOUS**. The Chair declared the meeting ADJOURNED.